

Federal Davis Bacon Act Requirements

1. Bid process – include wage rates and contract conditions as outlined in SRF Front End documents (link). Federal Wage Determinations on line: <http://www.wdol.gov/>
2. During Construction the Loan Recipient will be responsible for the following:
 - a. **OBTAIN WEEKLY PAYROLL AND STATEMENT OF COMPLIANCE.**

Certified payrolls are to be submitted weekly by the prime contractor. The prime contractor is responsible to collect and submit the subcontractor payrolls and statement of compliance weekly to the Loan Recipient.

Prior to submitting a disbursement request to the IFA for construction costs, the Loan Recipient should have all certified payrolls from the prime contractor and subcontractors and conduct payroll verification and employee interviews as described in this section to ensure compliance with state and federal requirements. Recommended forms are provided with Front-End Document Addenda ([WH-347](#)).
 - b. **VERIFY JOB SITE POSTINGS ARE IN PLACE.**

The prime contractor is responsible to post the following at the construction site:
“Notice to All Employees” poster the required federal Poster ([WH 1321](#)).
 - c. **VERIFY COMPLIANCE WITH PREVAILING WAGE REQUIREMENTS.**

The Loan Recipient or their representative must periodically conduct spot checks of a representative sample of weekly payrolls, verify fringe benefits, and conduct employee interviews to ensure that the contractor/subcontractor is complying with requirements and paying the appropriate wage rates.

Establish and follow a payroll review and employee interview schedule based on an assessment of the risks of noncompliance & length of contract. Conduct more frequent spot checks if risks are higher or if contractor/subcontractor noncompliance.

Conduct immediate interviews in response to an alleged violation of the prevailing wage requirements.

Conduct employee interviews in confidence. [Form SF1445](#) or equivalent document for the interviews is required to memorialize interviews.

Verify evidence of fringe benefit plans and payments of these plans by contractors and subcontractors who claim credit for fringe benefit contributions.

Periodically review contractors and subcontractors use of apprentices and trainees. Verify registration and certification of apprentices and trainees with respect to apprenticeship and training programs approved by US Dept. of Labor or a state program; that contractors and subcontractors are not using a disproportionate number of laborers, trainees and apprentices. Conduct these reviews in accordance with the payroll and employee interviews.

Maintain all labor standards records, including information on any restitutions (underpayments to laborers), on file.
NOTE: Employees home address and social security number should not be on the certified payrolls.

Loan Recipients must immediately report potential violations of the DB prevailing wage requirements to the EPA DB contact listed above and to the appropriate DOL Wage and Hour District Office listed at <http://dol.gov/whd/america2.htm>.
3. Project Completion
 - a. Submit a FINAL FEDERAL LABOR STANDARDS REPORT to IFA at project completion. The form can be found on the IFA website [here](#).
 - b. Maintain labor standards records (certified payrolls, employee interviews, records of wage incidents, correspondence, debarment, search results, etc.) with the project files at the Loan Recipient’s office for a period of three years after construction completion. Such records shall be available on request of the IFA or EPA.